

WOODS CROSS CITY COUNCIL MEETING
AUGUST 2, 2016

The minutes of the Woods Cross City Council meeting held August 2, 2016 at 7:00 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley
Jessica Gertsch

Wally Larrabee
James Sheldon
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Jessica Sims, City Recorder

VISITORS:

Rick Hellstrom
Lois Schrader
Gavin Tilley
Rick Soddors

Patt Suttzell
Don Schrader
Lyndalynn Tilley
Kathee Soddors

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Gary Uresk

APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council meeting held July 19, 2016. After their review, Council Member Larrabee made a motion to approve the minutes as written with Council Member Gertsch seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The Mayor called for the approval of the cash disbursements. Council Member Dayley made a motion to ratify the cash disbursements as presented for the period of 7-9-16 through 7-22-16. Council Member Gertsch seconded the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor opened the meeting to items from those present that they would like to bring before the City Council that were brief in nature. This would be items that would take less than two or three minutes.

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Ms. Kathee Soddors living at 1483 West 1300 South appeared before the Council and said CTC Trucking had not sprayed for dust like they said they would and the noise from the trucks is getting worse. She said she understood that the Council had given CTC time to try and keep the noise down and to spray the dirt with water to keep the dirt and dust down, but they are not doing any of those things. She said she wanted to update the Council from her perspective. She said she feels like things are getting worse. She also said she was asked to keep track of things by the staff and she was tracking what was happening and there had been no improvement. She said she feels like they are going to drag out moving their operation as long as possible.

The City Administrator said he had been given information that CTC had requested to move their business to Salt Lake City and the proposal will probably go through but it may take 3-4 months for them to get all of the property permits and to make the move. He also said he had requested a list from the property owner of what businesses lease the property. He said he would continue to work on the issue.

Ms. Soddors thanked the staff and Council for their time and for their help in this matter.

**PUBLIC HEARING—AMENDMENT OF CHAPTER 31 (LEGACY GATEWAY ZONE)
AND CHAPTER 21 (SUPPLEMENTARY REGULATIONS) OF THE WOODS CROSS
CITY ZONING ORDINANCE; TO PERMIT PUBLIC AND QUASI PUBLIC USES
INCLUDING PUBLIC UTILITY FACILITIES AS A CONDITIONAL USE IN THE
LEGACY CORE COMMERCIAL DISTRICT AND TO ESTABLISH REGULATIONS
FOR THE DEVELOPMENT OF PUBLIC UTILITY FACILITIES WITHIN THE CITY**

The Mayor gave the floor to the Community Development Director who reviewed the following with the City Council:

“This past year, Questar Gas approached the city with a proposal to build a facility on 500 South across from the Utah Auto Auction. Presently, Questar has major north-south natural gas transmission lines that run diagonally through this area. In addition, there is a transmission line that branches off at 500 South which heads east to Bountiful. It is necessary for Questar to periodically test and inspect these transmission lines using an apparatus that is inserted in the pipe which provides them with information regarding pipe integrity. These tests are performed approximately every seven years and the testing apparatus is inserted into the pipeline at specific facilities.

“Questar proposes to build such a fenced facility on the Kingston’s property at the intersection of their north-south pipelines and the pipeline heading east of 500 South. They have indicated that this facility needs to be built at this specific location to serve the inspection needs for the pipeline heading east into Bountiful.

“The City has been concerned about constructing such a facility in an area that we view in our General Plan as being a future commercial, office gateway to the community. Questar has provided photographs of similar facilities that are fenced with decorative concrete or block walls

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and landscaping. On Tuesday evening, Questar and the staff can go into the particular details of the facility that they would like to build at this location.

“The issue that has been encountered is that the Legacy Gateway Zone is divided into two zoning districts named Legacy Neighborhood and Legacy Core. As you look at a zoning map, the Legacy Core area runs from the Legacy Parkway along 500 South east to approximately the A-1 Drain. The Legacy Gateway Neighborhood District runs from the A-1 Drain eastward towards 1100 West. The Legacy Gateway Neighborhood District area does permit, as a conditional use, public and quasi-public facilities including facilities such as proposed by Questar. However, the Legacy Core area, which permits the larger commercial and office focus does not permit such facilities. Questar is requesting that the City amend the Legacy Gateway Core District to include public and quasi-public uses specifically utility facilities. In addition, they have proposed some minor language governing the development of these types of facilities.

“Due to the fact that it appears that there is no other choice but to site this facility at this location, the Planning Commission is supportive of amending the ordinance to provide for public and quasi-public uses within the Legacy Gateway Core Zoning District. However, the staff and Commission believe that more stringent development guidelines are necessary than those being proposed by Questar, and as such, given to the Council is an adoption ordinance outlining the Planning Commission’s recommendation to amend the zoning ordinance which would govern public utility facilities in this area. Specifically permitted facilities would be smaller transformer boxes or other facilities or substations similar to Questar’s proposal that would be conditional uses and require Planning Commission review and approval in addition to landscaping and screen fencing requirements.”

The Council asked a few questions of the Questar representative Mr. Rick Hellstrom, who was at tonight’s meeting representing this item. They asked about how big this facility might be, what it might look like and what the fencing would be that would screen the facility and other details concerning the facility. Mr. Hellstrom answered the questions and concerns the Council had regarding the facility.

After the review, the Mayor opened the public hearing for public comments.

There were no comments from the public present and the Mayor closed the public hearing.

CONSIDERATION TO ADOPT AN ORDINANCE AMENDING CHAPTERS 21 AND 31 OF THE WOODS CROSS ZONING ORDINANCE

After the above presentation Council Member Gertsch made a motion to adopt ordinance 571, an ordinance amending Chapters 21 and 31 of the Woods Cross Zoning Ordinance. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

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OPEN SESSION

The Mayor then opened the meeting to items from those present that they would like to bring before the City Council.

There were no comments from the public present.

Council Member Dayley then said she had heard from a concerned citizen about excessive garbage and weeds and tarps on fences at approximately 2000 South 925 West. The Community Development Director said he would have the Code Enforcement Officer look into the matter. The Mayor also expressed how some of the yards in the area are deteriorating and would also like to see something done about that as well.

Council Member Gertsch said she heard Mr. Smoot is planning to develop the property that had been discussed in earlier meetings by October. The Community Development Director said the developer would potentially be coming back in with updated plans in the next few months but could not move ahead until the new plans were reviewed and potentially approved by the Planning Commission and the City Council.

Council Member Gertsch also asked if there had been an update on Terracon. It was noted that Terracon had bored another hole and would be coming in to discuss the details of their findings. Staff said they would be scheduling a meeting with the residents to discuss the findings.

Council Member Westergard said there is a problem with vehicles that are being parked where they do not belong and are causing a safety issues. Staff said they would look into the matter. Council Member Westergard also asked about what Maverik is going to do with their business and property regarding the issues and problems they have had in the past. Staff said they are going to come in and discuss their future plans. Council Member Westergard also noted there was more outside storage behind the Rockwell building and it was noted it was a grandfathered use at that location.

PLANNING COMMISSION REPORT

The Mayor noted the Planning Commission meeting had been cancelled so there would be no report at tonight's City Council meeting.

SOUTH DAVIS SEWER DISTRICT REPORT

Council Member Westergard reported on the activities of the South Davis Sewer District. He said that they redid some of committees for the district. Council Member Westergard said he has been asked to be the chairperson of the audit committee but will still work on the Resource Recovery Committee. He said they are working on moving forward with this project and explained some of the things they have been doing to try and make the project successful. He also said they are working on rezoning the area and gathering letters of support for the project.

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MAYOR'S REPORT

The Mayor reported that at the last concert in the park about 50 people attended. He said the movie in the park would be August 15. He said he would be checking with Bountiful about getting the screen and the movie would be Night at the Museum.

He also said there would be a Truth and Taxation Hearing for the fire district on August, 10th.

CITY ADMINISTRATOR'S REPORT

The City Administrator noted the following for the City Council:

1. Truth in Taxation Hearing

“The Truth in Taxation hearing is scheduled for August 9th at 6:30 P.M. and the decision to approve the tax increase and final budget will be held on the regular Council meeting on August 16th, 2016

“At the final open house on the 28th we had 10 residents come in to visit with us with two additional comments provided. Given to the Council is a copy of the attendance sheet and comments for both the July 12th and 28th open houses.”

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 8:12 P.M. with Council Member Gertsch seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder